

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

von Rossum et al

Serial No.: 09/508,852

Examiner: M. Komakov

Filed: June 2, 2000

Group Art Unit: 1746

For: Removable Protection Coating

Atty. Dkt.: 005032.86955

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner of Patents
Washington, D.C. 20231

Sir:

I, Antonius Fanciscus Maria Bertels, hereby declare as follows:

1. I am one of the inventors of the above-identified application.
2. I have reviewed the above-identified application, as well as the April 22, 2002 Office action and the prior art, particularly EP 0 478 067.
3. I am one of the inventors listed on EP 0 478 067.
4. The only binder disclosed in the example of EP '067 is outside the scope of the claims of the above-identified application. The EP '067 binder is a styrene maleic anhydride copolymer (SMA 2625) obtained from Sartomer, an affiliate of Atofina, (see attached product sheet). The binder has an acid value of 220, a glass transition temperature of 110 °C, a number average molecular weight of 3600, a weight average molecular weight of 9000, and a polydispersity of 2.5. The binder disclosed in EP '067 also has a relatively low UV stability, and when exposed to the sun for a certain period of time, the cohesive strength of the coating will deteriorate.

The properties of the EP '067 binder make the coating rather brittle, and thus too fragile for use outdoors.

5. The binder disclosed in the instant claims is more durable than that of EP '067 and has high UV stability. The binder has an acid value of 40 to 250, a glass transition temperature of 10 to 60 °C, a weight average molecular weight of 10,000 to 100,000, and a polydispersity of 2 to 6. It was found that a coating comprising a binder satisfying all of these criteria meets the requirements for creating a coating that has sufficient adhesive strength to the substrate on which it is applied and sufficient cohesive strength to remain intact. Yet the coating is easily removable by a strong base.
6. The protective coating disclosed by EP '067 is not very resistant to weather influences and must be frequently repaired or even reapplied several times in one season. The instant claimed coating is resistant to weather influences and can endure the season without requiring interim repair.
7. Prior to the instant invention, we were not aware that a coating having the specific criteria of the claimed invention would provide such improved results over the coating disclosed in EP '067.

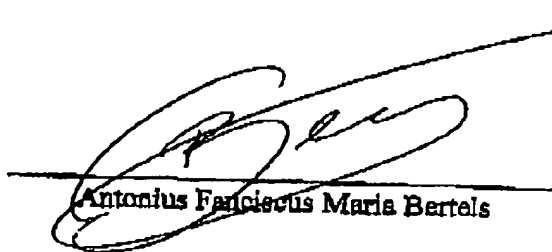
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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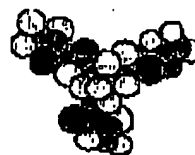
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22 July 2002
Date


Antonius Franciscus Maria Bertels

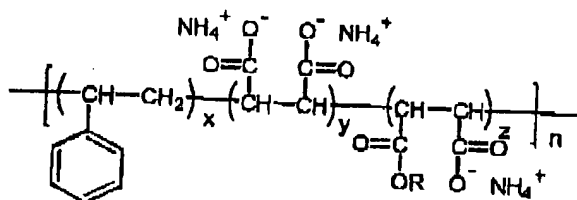
SARTOMER

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product bulletin: SMA® 2625 H Solution

STYRENE MALEIC ANHYDRIDE COPOLYMER SOLUTION

**DESCRIPTION**

SMA 2625H is an aqueous solution of the ammonia salt of SMA 2625.

PRODUCT HIGHLIGHTS

SMA Resin Ester that balances higher styrene content with solubility in aqueous base.

PERFORMANCE PROPERTIES

Viscosity Stability/Shear Stability
Polymeric Surfactant
Excellent Solvent Solubility

SUGGESTED APPLICATIONS

Carpet cleaners
Floor polish
Ink Additive
Temporary Coatings

SMA® 2625 H Solution**TYPICAL PHYSICAL AND CHEMICAL PROPERTIES**

| | |
|-------------------------------|--------------|
| Appearance | Clear liquid |
| Solids, wt. % | 25 |
| Color, Gardner scale | 2 |
| Resin Molecular Weight, M_n | 3600 |
| Resin Molecular Weight, M_w | 9000 |

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DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATIONS

() Original () Supplemental () Substitute (x) PCT

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"Removable Protective Coatings"

Title: _____

which is described and claimed in:

() the attached specification, or
 (x) the specification in the application Serial No. _____ filed March 17, 2000
 and with amendments through _____ (if applicable),
 (x) the specification in International Application No. PCT/NL98/00634, filed
November 3, 1998, and as amended on _____ (if applicable).

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| COUNTRY | APPLICATION NO. | DATE OF FILING | PRIORITY CLAIMED |
|-----------------|-----------------|------------------|------------------|
| the Netherlands | 1007433 | November 3, 1997 | (x) YES () NO |
| _____ | _____ | _____ | () YES () NO |
| _____ | _____ | _____ | () YES () NO |
| _____ | _____ | _____ | () YES () NO |
| _____ | _____ | _____ | () YES () NO |
| _____ | _____ | _____ | () YES () NO |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| SERIAL NO. | U.S. FILING DATE | STATUS |
|------------|------------------|--|
| _____ | _____ | () Patented () Pending () Abandoned |
| _____ | _____ | () Patented () Pending () Abandoned |
| _____ | _____ | () Patented () Pending () Abandoned |

As a named inventor I hereby appoint the following attorney(s) and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: P.T.O.

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Effective February 27, 1983

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| RESIDENCE & CITIZENSHIP | CITY | STATE OR COUNTRY | COUNTRY OF CITIZENSHIP |
| POST OFFICE ADDRESS | ADDRESS | CITY | STATE OR COUNTRY |
| | | | ZIP CODE |

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1st Inventor A.J.G. van Rossum Date March 3, 2000

2nd Inventor A. Bertels Date March 3, 2000

3rd Inventor _____ Date _____

4th Inventor _____ Date _____

5th Inventor _____ Date _____

6th Inventor _____ Date _____

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